

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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VICTOR GUEVARES,

Plaintiff,

**ORDER**

- v -

CV-06-2930 (JG)(VVP)

ACXIOM, et al.,

Defendants.  
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The plaintiff seeks an order compelling the defendants Acxiom Corporation and Acxiom Information Security Services, Inc. (collectively “Acxiom”) to provide information in response to two discovery requests. The requests – an interrogatory and a document request – seek the disclosure of consumer reports prepared by Acxiom which contain criminal history records of New York residents. The requests are vastly overbroad. The plaintiff’s claim here is that Acxiom improperly reported his criminal history which had been sealed. The requests, however, seek information about any and all consumer reports with criminal history information, whether sealed or not. The claimed justification for discovery of that breadth, which according to Acxiom would involve some 8,000 consumer reports, is that it may demonstrate that Acxiom is willful and reckless and may negate a defense that it uses reasonable procedures. The plaintiff does not explain how such discovery is reasonably calculated to provide admissible evidence on either of those scores. Nor does the plaintiff explain how this discovery is reasonably calculated to lead to evidence to support his claim for injunctive relief. Accordingly, the plaintiff’s motion is denied as the discovery sought is not reasonably calculated to lead to the discovery of admissible evidence. Fed. R. Civ. P. 26(b)(1).

**SO ORDERED:**

Viktor V. Pohorelsky  
VIKTOR V. POHORELSKY  
United States Magistrate Judge

Dated: Brooklyn, New York  
April 11, 2007